

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK REESE, FRANCES ELAINE PIDDE,
JAMES CICHANOFSKY, ROGER MILLER,
GEORGE NOWLIN and RONALD HITT, on
behalf of themselves and
a similarly situated class,

Hon. Patrick J. Duggan

Case No. 04-70592

Plaintiffs,

v.

Class Action

CNH GLOBAL N.V., formerly
known as Case Corporation,
and CNH AMERICA LLC,

Defendants.

EXHIBIT 5

TO

PLAINTIFFS' SECOND MOTION FOR ATTORNEY FEES

UAW v. FORD MOTOR Co.
07-14845 (E.D. Mich.)(Cleland, J.)
July 7, 2008

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

INTERNATIONAL UNION, UNITED
AUTOMOBILE, AEROSPACE, AND
AGRICULTURAL IMPLEMENT WORKERS OF
AMERICA; and BOBBY HARDWICK, WALTER
BERRY, RAYMOND J. MITCHELL, FAY
BARKLEY, ARLEN BANKS, YVONNE HICKS,
and BRUCE CARRIER on behalf of themselves
and all other persons similarly situated,

Plaintiffs,

v.

Case No. 07-CV-14845

FORD MOTOR COMPANY,

CLASS ACTION

Defendant.

ORDER CONFIRMING ENTITLEMENT TO ATTORNEY FEES

Having considered the motion for an award of attorneys' fees and costs, and notice of that motion having been directed through the Class Notice (p.6) to the class members in a reasonable manner, the court makes the following findings of fact and conclusions of law (to be supplemented after counsel supplement their motion fourteen days after judgment pursuant to Rule 54(d)(2)):

1. Class Counsel are entitled to fees and nontaxable costs pursuant to ERISA.
2. The hourly rates they seek are reasonable – \$475/hr. for William T. Payne and other senior Stember Feinstein Doyle & Payne ("SFDP"), LLC partners, \$425/hr for junior SFDP partners Pamina Ewing and Stephen M. Pincus, \$390/hr. for SFDP senior

associate Jonathan K. Cohn, \$370/hr. for SFDP senior associate Joel R. Hurt, \$230/hour for first-year attorney Rachel Kassner Davis and \$125/hr. for SFDP law clerks and paralegals.

3. Given the size and complexity of the case, counsel's estimated award of approximately \$244,214 in attorneys' fees, \$121,504 for expert costs, and \$ 4,250 in other costs would be reasonable and proper.

4. Further proceedings concerning fees and costs may be held after counsel supplement their motion fourteen days after judgment.

IT IS SO ORDERED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: July 7, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, July 7, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522